

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**GERALD BLOCK**,  
individually and on behalf  
of all others,

Plaintiff,

v.

**FIP, LLC**, a Nevada limited  
liability company,

Defendant.

Case No. 3:17-cv-01808-YY

**DECLARATION OF  
MICHAEL FULLER**

**IN SUPPORT OF  
PLAINTIFF'S MOTION  
TO STAY**

**DECLARATION**

I, Michael Fuller, declare the following under penalty of perjury:

1. I know the facts I am testifying about based on my personal knowledge. Plaintiff continues to prepare his response to FIP, LLC's motion to compel but requires additional information from FIP, LLC before he can finalize the response. Plaintiff is currently unable to request the needed information because FIP, LLC is not

currently represented by counsel and no contact information was provided for Scott Kohn.

2. On March 1, 2018, plaintiff amended his complaint to name FIP, LLC as the sole party defendant, based on representations made by the prior defendant in this case, both in its motion to dismiss, and through counsel. Plaintiff has subsequently acquired evidence suggesting FIP, LLC may be a mere shell entity, and that the proper party defendants may in fact be Future Income Payments, LLC and Scott Kohn. The addition of these parties as co-defendants in this case would affect the scope of the alleged arbitration provision at issue, and significantly alter the substance of plaintiff's response to the pending motion to compel.
3. According to its corporate disclosure statement, Scott Kohn is the majority shareholder of CFOS, a corporation organized under the laws of the Republic of the Philippines, that is the sole member of FIP, LLC. Recent enforcement actions from various state attorneys general suggest Future Income Payments, LLC, FIP, LLC and Scott Kohn are all operating together in concert, both as principal and agent and as alter egos of each other, as part of a common scheme.
4. On May 10, 2018, Multnomah County Circuit Court Judge Stephen Bushong entered an order restraining Future Income

Payments, LLC, FIP, LLC and Scott Kohn from further advertising or engaging in business in Oregon until further order of the Court. Similar actions have been filed in other states. A copy of the order is attached as Exhibit 2.

5. Under the circumstances, and in light of FIP, LLC's current status as an unrepresented party, plaintiff requests a stay of the pending case deadlines until 45 days after the appearance of FIP, LLC's new counsel.
6. Under 28 U.S.C. § 1746, I declare under penalty of perjury that this declaration is true and correct.

May 18, 2018

**RESPECTFULLY FILED,**

s/ Michael Fuller

**Michael Fuller, OSB No. 09357**

Lead Attorney for Plaintiff

OlsenDaines

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Portland, Oregon 97204

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**CERTIFICATE OF SERVICE**

I certify that I caused this document to be served on all parties by first class mail to:

**FIP LLC  
c/o registered agent ISL, Inc.  
321 W Winnie Ln Ste 104  
Carson City, Nevada 89703**

May 18, 2018

s/ Michael Fuller  
**Michael Fuller, OSB No. 09357**  
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